

Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING August 21, 2019

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 21st day of August, 2019 in the Assembly Room of the Howard County Courthouse, St. Paul NE.

Chairman Terry Spilinek called the meeting to order at 8:00 p.m. The Open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 7 members present: Daryl Anderson, Randy Kauk, Jack Reimers, Terry Spilinek and Ken Kozisek, Dave Sack, Chris Kosmicki. Ron Kulwicki and Jeff Christensen were absent. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Nancy Usasz, Planning & Zoning Secretary, and members of the public including: Jeff Berggren, Craig Dixon, Bill Dixon and Vivian Jensen.

The agenda and Minutes were mailed to the Board Members prior to the meeting. A motion was made by Dave Sack and seconded by Daryl Anderson to approve the minutes of June 19, 2019 meeting. The motion carried on unanimous voice vote.

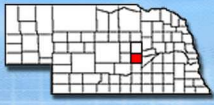
Old business was discussed. Administrator Klinginsmith informed the board that she will be doing a site visit to check on the progress of Kevin Lukasiewicz's feedlot. She informed the board that she has been receiving complaints from a neighbor about runoff and she stated that she explained to the neighbor that Lukasiewicz is not yet feeding cattle in that location and it is just due to excess rain.

At 8:05 PM a public hearing was opened to discuss the adoption of Solar Energy Regulation for Howard County. Klinginsmith read the notice of meeting. Jeff Berggren with Gen Pro Energy was in attendance to discuss why Solar is becoming so popular with the board. Jeff had a Power Point Presentation to share with the board explaining solar projects that have been completed in other towns such as, Central City, Aurora, Lexington, Hastings and Scotts Bluff.

At 8:15 PM a public hearing was opened to vacate Pine Meadows Lot 2 in the SE $\frac{1}{4}$ of Section 33 Township 14 Range 10W. The Public hearing was put on hold to finish the Solar Energy Regulation Hearing.

Jeff explained that his company will work with cities or individuals to make sure that the Solar Energy System is the correct size for their usage. Administrator Klinginsmith wrote some regulations for the board to review. Chairman Spilinek asked for testimony in favor or opposition. There was none. The public hearing was closed and discussion was had by the board. They asked Jeff some questions regarding size and wattage. After much discussion Chris Kosmicki made a motion to approve the preliminary Solar Energy Regulations. Ken Kozisek seconded the motion. Motion Carried 7-0 Roll Call Vote. Finding of Fact was completed and is attached.

At 8:50 PM the public hearing to Vacate Lot 2 Pine Meadows Subdivision was continued. Klinginsmith read the notice of meeting. Vivian Jensen was in attendance to represent this request. She stated that she was misguided by her attorney. She intended to subdivide the property so her son could inherit it in the future. This was intended to be a non-buildable lot consisting of 20 acres. She later realized that she would be taxed as if it is a residential lot and that is not what she intends. Chairman Spilinek asked for testimony in favor or opposition. There was none. The public hearing was closed and discussion was had by the board. Administrator Klinginsmith stated, in the future, the plat will show the subdivision



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acres and list other parcels with 20+ acres as “not a part of subdivision” which would avoid the situation we are in having to vacate the 20+ acre lot. After a short discussion Ken Kozisek made a motion to approve Vacating Pine Meadows Subdivision Lot 2. Dave Sack seconded the motion. Motion Carried 7-0 Roll Call Vote. Finding of Fact was completed and is attached.

Next on the agenda was a discussion on Truck Wash out Material for land application. Bill Dixson and Craig Dixson were in attendance to discuss this with the board. Craig stated that he is building a truck wash out in Grand Island on Hwy 30 in the area of Wilson Trailer, Pump and Pantry and JBS Swift. Craig Stated that he has purchased a machine to press the water out of the waste from truck wash and load it into a side dump trailer and then apply to farm ground as organic matter. There will be little to no nutrients in the product due to the mass amount of water used to filter waste. Bill Dixson would like to stock pile this product until fall when crops are harvested. Craig is estimating about 1 load a day. The fields he plans to stock pile have highway access so it would not tear up county roads. Craig stated that if he is unable to hall a load due to weather the waste can go to the City of Grand Island Water Treatment Plant. After much discussion the board agreed that he needs to apply for a Conditional Use Permit.

A short discussion was had regarding allowing waivers for Administrative Conditional Use Permits so manure could be stock piled closer than $\frac{1}{4}$ from a residence. After much discussion the board stated that they cannot make regulations for one situation so therefore they were not in favor of the idea.

The next discussion was regarding a Compost Site in Hall County. Administrator Klinginsmith asked the board for thoughts on how to handle this if they want to bring the composted product to Howard County. The board agreed that if it is composted correctly it should not be an issue but we will revisit the issue if it comes up in the future.

The final discussion was regarding the Fee’s charged by the Zoning Office. Klinginsmith stated that in reviewing fee’s set by other Counties ours are in line for most of them. She stated that she feels that if we had stricter penalty people would remember to get permits. After much discussion they will recommend changing the fee for Delivery of Product without Proper Permit for Manure and Commercial Biodegradable Waste to \$200 for the first offence, \$400 for the second offence and after the 3rd offence they will no longer be allowed to apply on that land.

With no further business Daryl Anderson Made a motion to adjourn and Jack Reimers Seconded the motion. The next meeting will be tentatively scheduled for September 18, 2019 at 8:00 PM

Nancy Usasz, Secretary